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## Executive Council Public Accounts - Written Responses

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### Question 1-12

#### Written Response:

In November 2021, the Premier's Office undertook a comprehensive independent review of workplace human resource policies and processes. As part of that, Jamie Pytel and Alex Matthews of Kingsgate Legal conducted a workplace assessment involving the Premier's Office and Ministerial Office staff.

As committed, new policy changes resulting from the advice received from Ms. Pytel were made public on May 31, 2022. The updated Respectful Workplace Policy reinforces our commitment to ensuring a work environment free of harassment and discrimination. It builds on the mandatory Respect in the Workplace training required for Government of Alberta employees and reaffirms our already implemented platform commitment to ensure annual mandatory anti-harassment training for members of Alberta's Public Service and political staff.

- [Premier's Office releases Respectful Workplace Policy](#)
- [A Respectful Workplace Policy for Staff of the Premier's Office and Ministerial Offices of the Government of Alberta](#)
- [Respectful Workplace Policy for the Government of Alberta](#)

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### Questions 13-15

#### Written Response:

The Lobbyist Registry provides information on registered lobbyists and the department(s) that they register to lobby. Details on the registry can be found here:

[https://www.albertalobbyistregistry.ca/apex/f?p=171:CMS:13068589696055:::CMS\\_SITE%2CCMS\\_PAGE:ABLBY%2CHOME](https://www.albertalobbyistregistry.ca/apex/f?p=171:CMS:13068589696055:::CMS_SITE%2CCMS_PAGE:ABLBY%2CHOME)

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### Questions 16-21 & 28 & 29

There have been multiple public statements on the record relating to these matters.

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### Questions 22-27 & 37

#### Written Response:

Alberta's government intends to recoup the full investment in the Keystone XL project. This investment is one we couldn't afford not to make. Getting a cross-border pipeline built without government support was becoming more and more challenging, given there was no support from 2015-2019 for KXL under the NDP's time in government. Alberta's government invested in this project because it was tied to our province's long-term economic interests. It would have led to higher prices as well as increased volumes of oil sands crude production, generating at least \$30 billion in increased royalties over 20 years for Alberta taxpayers. The project would have put 17,000 Canadians to work and generate billions of dollars of employment income for Canadian and U.S. workers at a time when they needed it the most. The project – already under construction – had long-held widespread bipartisan support from U.S. lawmakers including all governors in the states the pipeline travelled through. Alberta, through the APMC, will be seeking to recover all of the investment.

On behalf of government, the Alberta Petroleum Marketing Commission (APMC) filed a notice of intent on February 9, 2022 as a first step toward a legacy NAFTA claim under the Canada-U.S.-Mexico Agreement. The APMC is responsible for exploring new opportunities to build new markets for oil and gas products within North America and globally. The Government of Alberta's investment in Keystone XL was done through the APMC.

Alberta may file the claim after 90 days from the date of notice or later, and must file by July 1, 2023. After examining all available options, it was determined that a legacy claim is the best avenue to recoup its investment on behalf of Albertans. The APMC claim seeks to recover no less than C\$1.3 billion in the Keystone XL project.

Alberta's government invested in KXL because of the long-term economic benefits it would have provided to Albertans, Canadians and Americans.

- It would have led to an increase in royalties over 20 years for Alberta taxpayers.
- The project would have put thousands of Canadians and Americans to work and generated billions of dollars of employment income for Canadian and U.S. workers at a time when they need it the most.
- The project was already under construction and held bipartisan support from U.S. lawmakers – including all governors in states the pipeline travelled through.
- As we have seen with recent global events, energy security for North America is critical to our shared economic growth and prosperity.
- We believe Alberta's responsible resource sectors can and should be a reliable energy source for North American markets in the years to come.

Alberta's government remains disappointed about the events and circumstances that led to the cancellation of this project. Alberta's government will continue to fiercely advocate for our energy sector and the workers whose livelihoods depend on it.

The Canadian and U.S. energy systems are highly integrated and continued cooperation is needed to ensure North American energy security. As Alberta and the U.S. continue to manage the devastating impacts of the COVID-19 pandemic, it is more important than ever that Alberta works closely with its U.S. partners to support a robust, sustained North American economic recovery. But, to deliver these

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benefits, we need to continue to develop our mutually beneficial energy partnership, which includes building the necessary infrastructure to get Alberta's products to U.S. markets and the world.

Alberta is committed to working together to create regulatory clarity encourage investment in the sector – including energy infrastructure projects – to help meet this demand.

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### Question 30

We are committed to being open, transparent and accountable to the people we represent. The [Public Sector Compensation Transparency Act](#) requires all political staff contracts above the public disclosure threshold (the 'Sunshine List') to be posted publicly. For 2021, the threshold is \$114,647.

Most staff fall below the disclosure threshold. Salary and contract information for staff in Premier's and Ministers' offices can we found here: <https://www.alberta.ca/political-salaries-contracts.aspx>

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### Questions 31-32

#### Written Response:

There have been multiple public statements on the record relating to these matters.

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### Question 33

#### Written Response:

The Premier's Correspondence Unit is housed in Communications and Public Engagement, which is part of the Ministry of Treasury Board and Finance. This information can be requested from that department via the Freedom of Information and Protection of Privacy Act

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### Questions 34

#### Written Response:

Renovation work occurred on the exterior of the Premier's office. The Legislature's exterior work was concentrated on the east wing of the building, directly impacting workspace. As a result, and due to construction-related security risks, a decision was made to relocate the Premier's office to the federal building for the duration of the work.

The move to the EFB was completed in the spring of 2020, and the Premier's office moved back to the legislature in 2021. Currently the offices on the top floor of the federal building are not being used.

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### Question 35

#### Written Response:

The ESG Secretariat was established through Budget 2021-22. As such, there was no ESG Secretariat in Executive Council as of March 31, 2021, nor were there any individuals working within the yet-to-be-created unit during fiscal year 2020-21. Information on current staff and job titles can be found through the Government of Alberta staff directory.

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### Questions 36

#### Written Response:

The Deputy Minister of Executive Council provides advice to the Premier and not to the Minister of Treasury Board and Finance.

Advice to Cabinet is protected under Section 22(1) of the Freedom of Information and Protection of Privacy Act as Cabinet and Treasury Board confidences, as well as under Section 24(1), as advice from officials. Cabinet deliberations must be kept confidential to permit full and frank discussions around the cabinet table. This confidentiality is essential for sound decision making and good governance.

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### Question 38

#### Written Response:

Performance measure 2(b) measures the percentage of intergovernmental agreement reviewed within the designated two-week time frame.

The rationale for a two-week time frame ensures that Intergovernmental Relations (IGR) has adequate time to review an agreement and provide advice back to ministries on how best to proceed with any concerns we may have. Given the nature of the agreements, it is critical to ensure that timely advice is given to support government decision making.

In 2020-21 IGR reviewed 181 agreements between the Government of Alberta and other governments that proceeded to signature. This number is consistent with the number of agreements IGR has reviewed in past years, for example in 2019-20 IGR reviewed 184 agreements that proceeded to signature and in 2018-19 IGR reviewed 242 agreements that proceeded to signature. The nature of the agreements that are signed can vary year to year, so the number that proceed to signature doesn't necessarily reflect the amount of work accomplished. Examples of major agreements that Alberta successfully negotiated in 2020-21 include:

- \$1 billion Site Rehabilitation Agreement with the federal government to support reclamation efforts and job creation in the oil and gas sector in Alberta.
- \$800 million in irrigation funding with the federal government to support irrigation projects in Alberta.
- An equivalency agreement confirming that Alberta's methane regulatory framework will achieve emissions reductions equivalent to the federal regulation by 2025.

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### Question 39

#### Written Response:

During 2020-21, Intergovernmental Relations (IGR), with responsibility for Alberta's domestic trade policy, worked with both provincial and federal counterparts to advance freer trade across Canada.

- For example, IGR continued to push Ontario to address protectionist trade barriers on alcohol.
- IGR also worked to resolve an issue with Saskatchewan regarding protectionist measures/local benefit requirements in construction procurements that were negatively impacting Alberta companies.

IGR supported Premier championing the removal of trade barriers with the federal government, including meetings with federal Ministers in fall 2020 and spring 2021 to discuss Alberta's trade priorities and concerns with federal barriers such as the restrictions on interprovincial sale of meat.

IGR also supported Premier as Minister Responsible for Internal Trade at the annual Committee on Internal Trade Ministers meeting in September 2020. IGR represented Alberta on the Regulatory Reconciliation and Cooperation Table (RCT) under the Canada Free Trade Agreement focused on reconciling barriers and removing red tape.

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### Question 40

#### Written Response:

Other Canada Free Trade Agreement parties have been encouraged to remove their exceptions through letters and by example. To date Ontario, Manitoba, Saskatchewan and Canada have also reduced their CFTA exceptions

Initially, the government of Alberta unilaterally removed 13 exceptions related to procurement. These were announced by the Premier in a news release on July 10, 2019.

#### **The following 13 exceptions were unilaterally removed:**

1. Legislative Assembly, the Legislative Assembly Office and the Legislative Offices
2. Procurement by Alberta Innovates
3. Procurement by the Alberta Energy Regulator
4. Procurement by the Alberta Electric System Operator
5. Procurement by the Alberta Utilities Commission
6. Procurement of goods purchased for representational or promotional purposes, and services and construction purchased for representational or promotional purposes outside of Alberta
7. Procurement of local food under the Supporting Alberta's Local Food Sector Act
8. Procurement of waste water treatment facilities
9. Procurement for the production, transmission and distribution of renewable energy, other than hydro-electricity
10. The right to accord a preference in infrastructure procurements to bids that provide benefits to Alberta
11. Procurement under exceptional circumstances for regional economic development purposes
12. Notice of intention to create a Crown corporation which would be responsible for all infrastructure procurement by the provincial government and which would be subject to the Crown corporation procurement thresholds
13. The right to adopt or maintain any measure that is part of a framework of regional economic development

Alberta then took another bold step toward free trade within Canada by eliminating 8 more of its exceptions, and narrowing two others.

#### **1. Limitations on the sale of public lands - Public Lands Act and regulations**

This exception permitted Alberta to restrict ownership of public lands in the province. Alberta's requirements in these areas continue to be non-discriminatory and apply equally to Canadians anywhere in the country. Alberta will maintain our current legislation and policies prohibiting foreign purchases of public and protected lands.

#### **2. Limitations on the sale of controlled lands - Foreign Ownership of Land Regulations**

This exception allowed Alberta to restrict ownership of controlled land in the province. Alberta's requirements continue to be non-discriminatory and apply equally to Canadians anywhere in the country.

### **3. Dispositions of Crown land, including provincial parks**

This exception allowed Alberta to restrict grazing permits from being held by persons residing outside Alberta and corporations with majority ownership residing outside of the province. Alberta is amending the policy to foster an open and competitive marketplace. Alberta will maintain our current legislation and policies prohibiting foreign purchases of public and protected lands.

### **4: Guiding and outfitting for wildlife hunting**

The exception allowed the province to restrict permits and licences in this sector to Alberta residents only. Alberta's laws and regulations related to wildlife hunting allow for Canadian residents to hold big game outfitter and game permits, and big game guide designations.

### **5. Power purchase agreements**

Power purchase agreements helped protect privately owned Alberta power companies from government subsidized competitors in other jurisdictions. The government is allowing them to expire on Jan. 1, 2021, further supporting stability in Alberta's electricity market.

### **6. Retaliation in the alcoholic beverages sector**

While this exception allowed Alberta to counter discriminatory practices in other jurisdictions, the province is eager to work cooperatively with its CFTA partners to open liquor markets to Alberta's liquor products, rather than resort to retaliatory measures. This exception has never been used and Alberta will retain the ability to bring legal and trade challenges against other parties in violation of the constitution or the CFTA.

### **7. Renewable energy**

Though it was originally introduced to expand renewable energy development in Alberta, protectionist policies are not necessary for Alberta to develop successful renewable energy programs and projects.

### **8. Retaliation in the energy sector**

This exception provided a mechanism to deal with jurisdictions that inhibit trade in the energy sector. Alberta will use advocacy, negotiation and the CFTA dispute resolution mechanism to convince other governments to open their energy sectors, rather than relying on retaliatory actions. This exception has never been used and does not negate Alberta's ability to use Bill 12 to maximize the value of our natural resources.

The two exceptions that were narrowed were:

#### **1. Market access for alcoholic beverages**

Narrowing this exception demonstrates Alberta's commitment to an open and competitive liquor market by removing the ability to restrict employment numbers in the sector.

#### **2. Market access for forest resources and products**

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This exception allows Alberta to take regulatory action to strengthen its forestry sector. We eliminated paragraphs that allowed Alberta to limit the types of legal entities and employment in the sector.

As the Premier has noted, internal barriers to trade and labour mobility within our country cost the Canadian economy up to \$130 billion every year. This is an unacceptable economic burden, resulting in lost jobs, income and opportunities for Albertans and a lack of competitiveness for our businesses. Every action that removes trade barriers stands to improve the economy of Alberta and benefit Albertans' pocketbooks.

Open, well-regulated economies are more likely to attract investment than those that impose regulations that discourage businesses from operating. As the Premier has noted, internal barriers to trade and labour mobility within our country cost the Canadian economy up to \$130 billion every year. This is an unacceptable economic burden, resulting in lost jobs, income and opportunities for Albertans and a lack of competitiveness for our businesses. Every action that removes trade barriers stands to improve the economy of Alberta and benefit Albertans' pocketbooks.

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### Question 41

#### Written Response:

While no new party has signed onto the NWPTA since 2017, we continue to encourage other provinces and territories to accede to Canada's most ambitious domestic trade agreement at all opportunities.

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